

Message Text

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ACTION L-02

INFO OCT-01 ARA-06 ISO-00 OES-03 COME-00 COA-01 DLOS-03

CIAE-00 DODE-00 PM-03 H-01 INR-05 NSAE-00 NSC-05

PA-01 RSC-01 PRS-01 SP-02 SS-15 USIA-06 AID-05 CEQ-01

EB-07 EPA-01 IO-10 NSF-01 FEAE-00 CG-00 DOTE-00

ACDA-05 AEC-05 AGR-05 FMC-01 INT-05 JUSE-00 OMB-01

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R 032226Z DEC 74

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 6233

C O N F I D E N T I A L SECTION 1 OF 2 NASSAU 2015

E. O. 11652: GDS

TAGS: EFIS BF

SUBJ: SPINEY LOBSTER

REF: STATE 258773

1. AS AUTHORIZED REFTTEL, AMBASSADOR RAISED SPINEY LOBSTER ISSUE WITH MINEXTAFF ADDERLEY DECEMBER 2. IN RESPONSE TO AMBASSADOR'S QUESTION, ADDERLEY SAID THAT LEGISLATION HAD BEEN SIGNED INTO LAW BY GOVERNOR-GENERAL (ALTHOUGH IT HAS NOT YET APPEARED IN OFFICIAL GAZETTE). EFFECT IS THAT BAHAMIAN FISHERIES LAW HAS NOW BEEN AMENDED TO AUTHORIZE MINISTER OF AGRICULTURE TO DECLARE CERTAIN SPECIES CREATURES OF CONTINENTAL SHELF.

2. ADDERLEY WENT ON TO SAY THAT NEITHER MINISTER'S DECLARATION CONCERNING SPINEY LOBSTER, NOR OTHER IMPLEMENTING MEASURES, HAVE BEEN PREPARED, LET ALONE PUBLISHED. HE NOTED THAT THE PRESENT LOBSTER FISHING SEASON WOULD CLOSE IN MARCH, AND THAT HE DOUBTED LOBSTER DECLARATION WOULD BE ISSUED BEFORE SEASON CLOSED. PERMSEC RUSSELL NOTED THAT, EVEN IF ATTEMPT TO
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ENFORCE LOBSTER DECLARATION THIS LATE IN SEASON WERE LOGICAL,

IT WOULD BE ALMOST IMPOSSIBLE TO ENFORCE "WITH LOBSTER NOW SELLING AT OVER \$4.00 PER POUND."

3. AMBASSADOR INDICATED US INTEREST IN THIS ISSUE, STRESSING MUTUAL US-GCOB INTEREST IN AVOIDING CONFLICT OVER ENFORCEMENT OF PROVISIONS. ADDERLEY'S ASSESSMENT THAT ENFORCEMENT MOVES UNLIKELY THIS LATE IN SEASON WAS REASSURING FROM VIEWPOINT OF CONFLICT-AVOIDANCE, BUT AMBASSADOR SAID THAT ISSUE WOULD REMAIN PAST THE SHORT TERM. THE FACTS WERE THAT US FISHERMEN WERE FISHING IN THE NEWLY COVERED AREA AND WOULD BE LIKELY TO CONTINUE TO DO SO. IF AND WHEN GCOB PUT IMPLEMENTING MEASURES INTO EFFECT POTENTIAL FOR DISAGREEMENTS WOULD EXIST. HOWEVER, POTENTIAL PROBLEM SEEMED TO BE ONE SUSCEPTIBLE OF RESOLUTION THROUGH BILATERAL DISCUSSION. AMBASSADOR THEREFORE PROPOSED THAT USG AND GCOB BEGIN A PROCESS WHICH WOULD HOPEFULLY LEAD TO BILATERAL TALKS ON BOTH ACCESS TO AND PRESERVATION OF THE SPINEY LOBSTER RESOURCE, WITH A MORATORIUM ON ENFORCEMENT PENDING CONCLUSION OF THE TALKS. ADDERLEY DID NOT COMMENT DIRECTLY ON THE MORATORIUM PROPOSAL, BUT REPEATED AGAIN THAT HE DID NOT EXPECT ENFORCEMENT TO BE AN ISSUE IN PRACTICAL TERMS BEFORE OPENING OF NEW SEASON IN LATE SUMMER OR EARLY FALL.

4. ADDERLEY INDICATED HE WAS NOT OPPOSED TO TALKS ON THE RESOURCE AS OUTLINED BY THE AMBASSADOR, AT LEAST IN PRINCIPLE. HE SAID HE THOUGHT THAT SUCH TALKS COULD NOT GO VERY FAR WITHOUT DETAILED KNOWLEDGE OF THE RESOURCE. WHILE CONTENDING THAT SUCH FACTUAL KNOWLEDGE WAS IN SHORT SUPPLY, HE NEVERTHELESS ARGUED THAT LOGIC SUGGESTS THAT "THE PRESENT SITUATION IS COMPLETELY OUT OF CONTROL." THE NEW LEGISLATION, ADDERLEY SAID, HAD BEEN NECESSARY AS A CONSERVATION MEASURE FOR THE DWINDLING BAHAMIAN RESOURCE, AND THAT ESTIMATE OF ITS NECESSITY HAD BEEN BASED ON THE "LOGIC" OF THE NUMBERS OF CRAWFISH TAKEN WITH THE APPARENT CONSEQUENT DEPLETION OF THE RESOURCE.

5. ADDERLEY BLAMED HISTORICAL FACTORS AT LEAST IN PART FOR PRESENT SITUATION. HE SAID CUBANS WHO FLED CASTRO HAD ALREADY FISHED OUT CUBAN AREA AND PROCEEDED TOWARD WIPING OUT FLORIDA RESOURCE AS WELL. BY DOMESTIC AGREEMENT WITH US FISHERMEN, ADDERLEY ASSERTED, CUBANS BASED IN MIAMI WERE BEING PRECLUDED FROM FURTHER EXPLOITATION OF FLORIDA WATERS AND WERE BEING

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PUSHED INTO BAHAMIAN FISHING GROUNDS. ADDERLEY WAS NOT GOING TO PERMIT DEPLETION OF BAHAMIAN RESOURCE AS WELL. ADDERLEY SAID THIS WAS POSSIBLE TOPIC FOR BILATERAL TALKS. AMBASSADOR STATED THAT AGENDA SHOULD BE OPEN AND THAT TALKS COULD ENCOMPASS A VERY WIDE VARIETY OF ISSUES INCLUDING MEASURES FOR BOTH SENSIBLE EXPLOITATION AND PRESERVATION OF RESOURCE AND THAT IT WAS NOT CLEAR THE TWO WERE NECESSARILY INCONSISTENT.

6. ADDERLEY NOTED THAT BAHAMIAN LEGISLATION ON LOBSTER AS CREATURE OF SHELF PROVIDES EXCEPTION WHERE BILATERAL AGREEMENTS RACHED. HE ALSO NOTED LEGISLATION PROVIDES, AS DOES US LOBSTER LEGISLATION, THAT SUCH AGREEMENTS SHALL BE RECIPROCAL. ADDERLEY SAID THAT SOME US FISHERMEN HAD ALREADY APPROACHED GCOB IN ATTEMPT TO "CONTRACT" FOR RIGHT TO CONTINUE FISHING IN NEWLY COVERED AREAS, BUT ADDERLEY SAID "THAT'S NOT THE WAY WE WANT TO WORK IT." ADDERLEY ADMITTED THAT IT MIGHT BE POSSIBLE FOR AGREEMENT TO INCLUDE ARRANGEMENTS FOR ALLOCATION OF RESOURCE UNEXPLOITED BY BAHAMIANS. AMB MADE PASSING REFERENCE TO DISCUSSION WITH DEP. P.M. AND MIN OF FINANCE HANNA IN WHICH LATTER HAD NOT SEEMED OPPOSED TO NOTION OF LICENSING US FISHING INTERESTS WHO WISHED ACCESS.

7. ADDERLEY MADE VERY CLEAR THAT HE WAS NOT INTERESTED IN REACHING BILATERAL AGREEMENT ON "CONTINUED OVER-FISHING OF AREA" OR IN DISCUSSION "TO DECIDE HOW TO SUPPORT SOUTHEAST FISHERY ASSOCIATION IN ITS ENDEAVORS IN THE BAHAMAS." HE BELIEVED THAT SEFA WAS ONLY INTERESTED IN TAKING AS MANY LOBSTER FROM BAHAMAS AS QUICKLY AS POSSIBLE. HE SAW LOBSTER ISSUE AS A MATTER OF CONSERVATION RATHER THAN ACCESS, AND INDEED SUSPECTED THAT BEST THING FOR FISHERY MIGHT BE TO UNDER-UTILIZE IT FOR A COUPLE OF YEARS. AT SAME TIME, HE ADMITTED TO AMBASSADOR THAT IT WOULD NOT BE NECESSARY TO REDUCE US CATCH TO ZERO AND APPEARED TO ACCEPT AMBASSADOR'S POINT THAT IN ABSENCE OF BILATERAL COOPERATION IT WOULD BE EXTREMELY DIFFICULT FOR GCOB TO ENFORCE EXCLUSION FROM AREA.

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ACTION L-02

INFO OCT-01 ARA-06 ISO-00 OES-03 COME-00 COA-01 DLOS-03

CIAE-00 DODE-00 PM-03 H-01 INR-05 NSAE-00 NSC-05

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R 032226Z DEC 74
FM AMEMBASSY NASSAU
TO SECSTATE WASHDC 6234

C O N F I D E N T I A L SECTION 2 OF 2 NASSAU 2015

8. ADDERLEY REPEATED THAT HE AGREED "100 PERCENT" ON DESIRABILITY OF HOLDING BILATERAL INFORMATION EXCHANGES ON THE RESOURCE. AMBASSADOR AND ADDERLEY AGREED THAT MINISTRY AND USG WOULD GET TO WORK AND DRAW UP DRAFT AGENDA FOR EXPLORATORY TALKS ON THIS SUBJECT, FOCUSSED ON FACTUAL INFORMATION NECESSARY BEFORE INTELLIGENT DISCUSSION OF APPROPRIATE POLICY CAN BEGIN. THESE AGENDA WOULD BE EXCHANGED FOR COMMENT AND WOULD FORM THE BASIS FOR INITIATING TALKS.

9. COMMENT: ADDERLEY'S INITIAL REACTION TO SUBSTANTIVE TALKS DOES NOT APPEAR VERY ENTHUSIASTIC, AND HIS INITIAL VIEW OF THEIR SCOPE IS NARROW, BUT HE HAS LEFT THE DOOR OPEN. WE SUSPECT HIS VIEW REFLECTS A BROADER CONSENSUS AMONG CABINET. (WE KNOW MINAGR ROBERTS TAKES DIM VIEW OF ANY US ACCESS TO LOBSTERS.) AT THE SAME TIME HANNA AND OTHERS WHO MAY SEE LICENSING AS A MEANS OF GAINING MUCH NEEDED REVENUE MIGHT WELL BE INCLINED TO TAKE A MORE FORTHCOMING POSITION. IN ANY EVENT, EMBASSY DOES NOT EXPECT QUICK RESPONSE FROM MINISTRY SIDE IN FORM OF PROMPT SUBMISSION OF POSSIBLE DRAFT AGENDA. EMBASSY BELIEVES THAT MOMENTUM FOR HOLDING TALKS WILL
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THEREFORE HAVE TO BE EXERTED FROM US SIDE IF WE WANT THEM. WHILE WE DO NOT SEE GREAT URGENCY IN CONDUCTING SUCH TALKS, IN VIEW OF APPARENT GCOB TIMETABLE ON IMPLEMENTING NEW LAW, WE THINK WE SHOULD USE TIME AVAILABLE TO US TO WORK OUT AMICABLE AGREEMENT. ACCORDINGLY, EMBASSY INTENDS TO WORK WITH DEPARTMENT AND OTHERS INTERESTED TO DRAW UP USG DRAFT AGENDA FOR SUBMISSION TO GCOB, IN BELIEF THAT MOST IMPORTANT THING AT PRESENT IS TO KEEP POSSIBILITY OF BILATERAL AGREEMENT FROM SLIPPING OUT OF BAHAMIAN VIEW AND BEING REPLACED BY CASUAL DECISION TO ATTEMPT UNILATERAL ENFORCEMENT.
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